IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH, JAIPUR

ORDER

S.B. CRIMINAL MISC. BAIL APPL. NO.8200/2006
Smt. Jhanku V. THE STATE OF RAJASTHAN

Date of order ::: December 22, 2006

PRESENT
HON'BLE MR. JUSTICE PREM SHANKER ASOPA

Mr.Sudarshan Laddha, for the applicant.
Mr.B.L. Avasthi, PP for the State.

This is a bail application under Section 439 Cr.P.C. arising out of criminal case No.198/2006 pending in the Court of Judicial Magistrate, Lakheri, District Bundi for offence under Section 51 of Indian Wild Life Protection Act, 1972.

Submission of the learned counsel for the applicant is that the applicant who is facing trial for offence u/s 51 of Indian Wild Life Protection Act, 1972 in the court of Judicial Magistrate, Lakheri was granted bail and since she could not appear before the trial court for 1 and 1/2 years, warrant of arrest has been issued against her by the trial court. He further submits that non-appearance of the applicant before the trial court was not intentional and was bonafide. He further submits that the applicant is 78 years infirm lady, therefore, she deserves to be granted bail.

Learned Public Prosecutor has opposed the bail application and submitted that it is not a fit case for grant of bail.

Without expressing any opinion on the aforesaid submissions on merits and demerits of the case and taking into consideration the entire facts and circumstances of the case, I am inclined to grant bail to the applicant.

It is, therefore, ordered that applicant Smt. Jhanku widow of Sampat shall be released on bail, provided she furnishes a personal bond in the sum of Rs.30,000/- (Rupees Thirty Thousand only) together with two sureties in the sum of Rs.15,000/- to the satisfaction of the learned trial court for her appearance before that Court as and when called upon to do so during pendency of the trial against her in the form of criminal case No.198/2006 pending in the Court of Judicial Magistrate, Lakheri.

(PREM SHANKER ASOPA) J.

ummed/